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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/659,171	09/09/2003	Bruce Bokish	7000-287	3747
27820	7590	12/02/2004	EXAMINER	
WITHROW & TERRANOVA, P.L.L.C. P.O. BOX 1287 CARY, NC 27512			SMITH, CREIGHTON H	
			ART UNIT	PAPER NUMBER
			2645	

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/659,171

Applicant(s)

BOKISH, BRUCE

Examiner

Creighton h Smith

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 8, 9, 12-21, 25, 26 and 29-34 is/are rejected.
- 7) ☒ Claim(s) 5-7, 10, 11, 23, 24, 27 and 28 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 8, 9, 12-21, 25, 26, 29-34 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Publication # 2004/0190707 to Ljubicich or U.S. Publication #2004/0198329 to Vasa

Ljubicich discloses a method of delivering directory assistance information to a user of a wireless telephone. In [0019] Ljubicich discloses that an information system will deliver to a user requesting another's phone number, an access telephone number (e.g., an 800 –xxx-xxxx telephone number, or other generic telephone number). This is done is accommodate the requested party's desire to remain anonymous. Once the user has the access number, the user is able to be connected with a researched party through a directory assistance provider, without providing the user with the actual phone number of the researched party. The information is then transmitted to the user via SMS or WAP. Ljubicich's access number reads on applicant's "pointer" because both the "pointer" and Ljubicich's access number direct, or point, the user to another location where requested information is located.

Vasa also discloses a directory information system, [0004], that allows wireless initiated queries. In [0004] Vasa discloses that a mobile station originates a request that

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specifies a telephone number for which additional information is desired. After the request has been received, the network will access certain other databases and will return 1 or more data items that are associated with the telephone number. The mobile-initiated request may further specify the particular information desired for the phone number, and may specify the data formats in which the information should be returned by the network. For example, a mobile station might generate an SMS request that identifies a telephone number for which vCard formatted contain information is desired. In [0021] and [0022], Vasa discloses that the mobile station 12 may specify the message format that the network may return the information by, and it may include vCard. In [0022], Vasa discloses the features of vCard format, and may include email address and URL. The email address and URL are deemed to be "pointers" where the user can seek out further information. For claim 3, see Vasa's [0031]. For claim 12, see Ljubicich's abstract where he discloses, "[s]uch information may be transmitted to the user via a short message service or wireless application protocol.

Claims 5-7, 10, 11<sup>23</sup>, 23, 24, 27, & 28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication should be directed to Creighton h Smith at telephone number 308-2488.

22 Nov. '04



Creighton h Smith  
Primary Examiner  
Art Unit 2645